

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
5:10-CR-280-FL-1

UNITED STATES OF AMERICA

v.

SHARIF SAFWAT EZZAT,

Defendant.

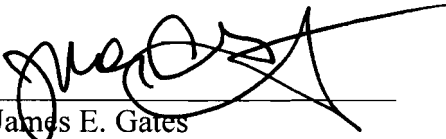
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**ORDER**

This case came before the court today for a telephone conference pursuant to the court's 27 April 2011 order (*see* D.E. 54 at 9 ¶ 3) for the purpose of determining what, if any, supplemental briefing defendant seeks based on the court's ruling on his motion (D.E. 43) to quash. During the conference, defense counsel informed the court that defendant did not seek any such supplemental briefing. Accordingly, the court's stay (D.E. 49) of its consideration of defendant's motions to exclude character evidence (D.E. 32), to dismiss on double jeopardy grounds (D.E. 34), to dismiss for selective prosecution (D.E. 35), and to compel the identity of an informant (D.E. 36) is hereby LIFTED, and the court will rule on the motions in due course.

Defense counsel further informed the court during the telephone conference that defendant intended to seek an evidentiary hearing on his motion to dismiss on double jeopardy grounds. The court directed defendant to file a written motion setting forth the justification for such a hearing. The court hereby further directs defendant to file this motion no later than Thursday, 5 May 2011. The government shall file its response no later than Monday, 9 May 2011.

SO ORDERED, this the 3rd day of May 2011.

  
James E. Gates  
United States Magistrate Judge